

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

Commerce and Industry Insurance Company Plaintiff,

- against -

U.S. Bank National Association Defendant.

7 cv 05731 (JGh)

MOTION TO ADMIT COUNSEL
PRO HAC VICE

PURSUANT TO RULE 1.3(c) of the Local Rules of the United States District Courts for the Southern and Eastern Districts of New York, I, Charles E. Dorkey III a member in good standing of the bar of this Court, hereby move for an Order allowing the admission pro hac vice of

Applicant's Name: BARRY J. ARMSTRONG
Firm Name: McKenna Long & Aldridge LLP
Address: 303 Peachtree Street., Suite 5300
City/State/Zip: Atlanta, GA 30308
Phone Number: (404) 527-4372
Fax Number: (404) 527-4198

BARRY J. ARMSTRONG is a member in good standing of the Bar of the States of
GEORGIA

There are no pending disciplinary proceeding against BARRY J. ARMSTRONG in any State or Federal court.

Dated: 10/29/2007
City, State: New York, New York

Respectfully submitted.

Sponsor's (CD-8422)
SDNY Bar McKenna Long & Aldridge LLP
Firm Name: 230 Park Avenue, Suite 1700
Address: New York, New York 10169
City/State/Zip: 212.905.8300
Phone Number: 212.922.1819
Fax Number:

FILED
U.S. DISTRICT COURT
S.D. OF N.Y.
2007 NOV -2 PM 11:08

STATE BAR OF GEORGIA



Lawyers Serving the Public and the Justice System

Mr. Barry J. Armstrong
McKenna Long & Aldridge, LLP
303 Peachtree St., Suite 5300
Atlanta, GA 30308

CURRENT STATUS: Active Member-Good Standing

DATE OF ADMISSION TO PRACTICE: 06/05/1991

Attorney Bar Number: 022055

Today's Date: October 18, 2007

Listed below are the public disciplinary actions, if any, which have been taken against this member:

State Disciplinary Board Docket #	Supreme Court Docket #	Disposition
N/A	N/A	N/A

The prerequisites for practicing law in the State of Georgia are as follows:

- Must be certified by the Office of Bar Admissions, either by Exam, or on Motion (Reciprocity).
- Sworn in to the Superior Court in Georgia, which is the highest court needed for individuals to practice law in the State of Georgia.
- Enrolled with the State Bar of Georgia, which is an arm of the Supreme Court of Georgia.

Attorneys licensed in Georgia and whose membership is current are eligible to practice law in Superior Court. Attorneys may, upon application, apply for admission to the Supreme, District and State Court of Appeals.

Under the privacy/confidentiality provision of the Bar Rule 4-221(d), any complaint against a member resolved prior to the filing and docketing of a disciplinary case in the Supreme Court is not a matter of public record, and may not be revealed without a waiver from the member. It is the policy of the State Bar of Georgia to answer any inquiry about a member by disclosing only those complaints that have been docketed in the Supreme Court. With respect to matters that are currently pending as active, undocketed cases, when an inquiry is received, the State Bar of Georgia shall not disclose the existence of those complaints. Such non-disclosure should not be construed to confirm the existence of confidential complaints since the vast majority of members in good standing are not the subjects of such confidential complaints.

This member is currently in "good standing" as termed and defined by **State Bar Rule 1-204**. The member is current in license fees and is not suspended or disbarred as of the date of this letter.

STATE BAR OF GEORGIA

Sunda Lovorn

Official Representative of the State Bar of Georgia

HEADQUARTERS

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Atlanta, Georgia 30303
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Tifton, Georgia 31793-1390
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**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

-----	X	
COMMERCE AND INDUSTRY INSURANCE	:	
COMPANY and AMERICAN	:	Case No. 07-CV-5731 (JGK)
INTERNATIONAL SPECIALTY LINES	:	
INSURANCE COMPANY,	:	
	:	
Plaintiffs,	:	AFFIDAVIT OF CHARLES E.
	:	DORKEY III IN SUPPORT OF
- vs. -	:	MOTION TO ADMIT
	:	COUNSEL <i>PRO HAC VICE</i>
U.S. BANK NATIONAL ASSOCIATION, AS	:	
INDENTURE TRUSTEE FOR THE	:	
REGISTERED HOLDERS OF FMAC LOAN	:	
RECEIVABLES TRUSTS 1997-B, 1998-B,	:	
1998-C, 1998-D AND 2000-A,	:	
	:	
Defendant.	:	
-----	X	

CHARLES E. DORKEY III, being duly sworn, hereby deposes and says as follows:


1. I am a partner at McKenna Long & Aldridge LLP, counsel for defendant in the above captioned action. I make this statement in support of the motion of defendant U.S. Bank National Association for the admission of Barry J. Armstrong to practice *pro hac vice* as counsel for defendant U.S. Bank National Association in the above-captioned case.
2. I am a member in good standing of the bar of the State of New York, and was admitted to practice law in October 6, 1975. I am also admitted to the bar of the United States District Court for the Southern District of New York, and am in good standing with this Court.
3. I have known Barry J. Armstrong since April 2007.
4. Mr. Armstrong is a partner at McKenna Long & Aldridge LLP in Atlanta, GA.
5. I have found Mr. Armstrong to be a skilled attorney and a person of integrity. He is experienced in Federal practice and is familiar with the Federal Rules of Procedure.
6. Accordingly, I am pleased to move the admission of Barry J. Armstrong, *pro hac vice*.
7. I respectfully submit a proposed order granting the admission of Barry J. Armstrong, *pro hac vice*, which is attached hereto as Exhibit A.

WHEREFORE it is respectfully requested that the motion to admit Barry J. Armstrong, *pro hac vice*, to represent defendant in the above captioned matter, be granted.

Dated: October 29, 2007

Respectfully submitted,

McKENNA LONG & ALDRIDGE LLP

By  _____

Charles E. Dorkey III (CD-8422)
230 Park Avenue
Suite 1700
New York, NY 10169
(212) 905-8330
(212) 922-1819 (facsimile)

ATTORNEYS FOR DEFENDANT

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

Commerce and Industry Plaintiff,
Insurance Company

7 cv 5731 (JGK)

- against -

U.S. Bank National Defendant,
Association

**ORDER FOR ADMISSION
PRO HAC VICE
ON WRITTEN MOTION**

Upon the motion of Charles E. Dorkey III attorney for U.S. Bank National Association
and said sponsor attorney's affidavit in support;

IT IS HEREBY ORDERED that

Applicant's Name: BARRY J. ARMSTRONG
Firm Name: McKenna Long & Aldridge LLP
Address: 303 Peachtree Street., Suite 5300
City/State/Zip: Atlanta, GA 30308
Telephone/Fax: (404) 527-4372
Email Address: barmstrong@mckennalong.com

is admitted to practice pro hac vice as counsel for U.S. Bank National Association in the above
captioned case in the United States District Court for the Southern District of New York. All attorneys
appearing before this Court are subject to the Local Rules of this Court, including the Rules governing
discipline of attorneys. If this action is assigned to the Electronic Case Filing (ECF) system, counsel shall
immediately apply for an ECF password at nysd.uscourts.gov. Counsel shall forward the pro hac vice
fee to the Clerk of Court.

Dated:
City, State:

United States District/Magistrate Judge

40131107

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

COMMERCE AND INDUSTRY INSURANCE
COMPANY and AMERICAN
INTERNATIONAL SPECIALTY LINES
INSURANCE COMPANY,

Plaintiffs.

AFFIDAVIT OF SERVICE

- VS. -

U.S. BANK NATIONAL ASSOCIATION, AS
INDENTURE TRUSTEE FOR THE
REGISTERED HOLDERS OF FMAC LOAN
RECEIVABLES TRUSTS 1997-B, 1998-B,
1998-C, 1998-D AND 2000-A.

Defendant.

[illegible]

ROBERT GEE, being duly sworn, deposes and says that deponent is not a party to the action, is over 18 years of age and is employed by McKenna Long & Aldridge LLP.

That on the 29th day of October, 2007, deponent served, by U.S. Mail, a true and correct copy of **Motion to Admit Counsel, Barry J. Armstrong, *Pro Hac Vice*; Affidavit of Charles E. Dorkey III in Support of Motion to Admit Counsel, Barry J. Armstrong, *Pro Hac Vice*; Proposed Order for Admission *Pro Hac Vice* on Written Motion** upon the following:

Andrew Racca, Esq.
 Steptoe & Johnson, LLP
 1330 Conneticut Ave, NW
 Washington, DC 20036

Harry Lee, Esq.
 Steptoe & Johnson, LLP
 1330 Connecticut Ave. NW
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Roger E. Warin, Esq.
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Scott Davis, Esq.
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Dallas, TX 75201

David Timmins, Esq.
Gardere Wynne Sewell LLP
1601 Elm Street, Suite 3000
Dallas, TX 75201

the address designated by said attorneys for that purpose, by depositing the same enclosed in a postage pre-paid envelope in a post office official depository under the exclusive care and custody of the United States Postal service within the State of New York.

Robert M. Lee

Sworn to before me this
29th day of October, 2007

Joanne Sarlo
NOTARY PUBLIC

JOANNE SARLO
NOTARY PUBLIC, STATE OF NEW YORK
NO. 01SA4931775
Qualified in Kings County
Commission Expires 3/31/2009